

## **EXHIBIT D**

# **Exhibit 1**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

TQ DELTA, LLC,	)	
	)	
Plaintiff,	)	C.A. No. 13-cv-1835-RGA
	)	
v.	)	
	)	
2WIRE, INC.,	)	
	)	
Defendant.	)	

**PARTIES' JOINT STATEMENT OF UNDISPUTED FACTS**

The following facts are admitted by the parties and require no proof:

**I. The Asserted Patent**

1. On June 11, 2013, the United States Patent and Trademark Office issued U.S. Patent No. 8,462,835 (“‘835 Patent”), entitled “Impulse Noise Management.”
2. The ‘835 Patent ultimately claims priority to Provisional Application Nos. 60/549,804 and 60/555,982, filed on March 3, 2004 and March 24, 2004 respectively.
3. The named inventor on the ‘835 Patent is Marcos Tzannes.
4. The ‘835 Patent is also referred to as the “Asserted Family 6 patent.”
5. TQ Delta, LLC owns the ‘835 Patent.

**II. The Parties**

6. Plaintiff TQ Delta, LLC (“TQ Delta” or “Plaintiff”) is a limited liability company organized and existing under the laws of the State of Delaware and having a principal place of business at 805 Las Cimas Parkway, Suite 240, Austin, Texas 78746.
7. Defendant 2Wire, Inc. (“2Wire” or “Defendant”) was a corporation organized and existing under the laws of the State of Delaware and having a principal place of business at 1764 Automation Parkway, San Jose, California 95131. 2Wire is now part of a North Carolina-based company called CommScope Holding Company, Inc.

**III. [TQ Delta’s Proposal] Infringing Products**

8. The Court found that the following 2Wire products infringe claims 8 and 10 of the ‘835 patent in its June 28, 2021 opinion and order: 5031NV, 5168NV, 5168N, and 5268AC.

**IV. Prior Art**

9. U.S. Patent Pub. No. 2002/0080867 to Abbas (“Abbas”) is prior art to the ’835 Patent.
10. U.S. Patent No. 7,428,669 to Cioffi (“Cioffi”) is prior art to the ’835 Patent.
11. ITU-T SG15/Q4 Contribution SC-060, entitled “Protocol of On-Line Reconfiguration of ADSL,” (“SC-060”) is prior art to the ’835 Patent.
12. ITU-T Recommendation G.992.1, entitled “Asymmetric digital subscriber line (ADSL) transceivers,” (“G.992.1”) is prior art to the ’835 Patent.